UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/910,779	07/24/2001	Hideo Shimazu	017446.0314	3553

22428 7590 11/21/2003		EXAMINER	
FOLEY AND LARDNER		HAMILTON, MONPLAISIR G	

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ART UNIT	PAPER NUMBER
2172	5

DATE MAILED: 11/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
●	09/910,779 ●	SHIMAZU, HIDEO
Office Action Summary	Examiner	Art Unit
	Monplaisir G Hamilton	2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>24 July 2001</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-8</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-8</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>24 July 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

    a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>3</u>.

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1.   Claims 1-8 are pending.

Priority

2.   Should applicant desire to obtain the benefit of foreign priority under 35 U.S.C. 119(a)-

(d), a translation of the foreign application should be submitted under 37 CFR 1.55 in reply to

this action.

Claim Objections

3.   Claims 1-8 are objected to because of the following informalities: "search/presentation"

does not clearly define the bounds of the claim. Examiner suggests that applicant choose to limit

the scope to either a search or a presentation system. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1 and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Admitted Prior Art (Specification: page 6, lines 10-20) herein referred to as Admission further in

view of US 6496776 issued to Blumberg et al, herein referred to as Blumberg.

Referring to Claim 1:

Admission discloses an information search/presentation system comprising: a 3D image

converter for outputting 3D image data on the basis of a plurality of aerial photographs obtained

by photographing a single area from different places, with a physical position of the area being

specified (Admission, page 6, lines 8-20).

Admission does no explicitly disclose "a first database for storing a pair of a verbal

expression and position information as a unit record, the verbal expression pertaining to a name

and contents of a landmark existing in the area photographed to obtain the aerial- photographs; a

search engine for outputting link information for page data including associated contents from a

set of page data on public view in response to an input keyword; and an 3D image browser for

creating a 3D stereoscopic image viewed from a viewpoint position designated by a user on the

basis of the 3D image data from said 3D image converter and the viewpoint position, presenting

the image to the user, looking up said first database in accordance with an associated information

presentation request associated with the position designated by the user, and, if a landmark corresponding to the designated position exists, outputting to said search engine a verbal expression pertaining to a name and contents of the corresponding landmark as a keyword to present a search result obtained by said search engine."

Blumberg discloses a first database for storing a pair of a verbal expression and position information as a unit record (col 5, lines 50-60; col 6, lines 60-65), the verbal expression pertaining to a name and contents of a landmark existing in the area photographed to obtain the aerial- photographs (col 5, lines 55-60); a search engine for outputting link information for page data including associated contents from a set of page data on public view in response to an input keyword (col 7, lines 40-50; col 8, lines 33-42; col 9, lines 50-65); and an 3D image browser for creating a 3D stereoscopic image viewed from a viewpoint position designated by a user on the basis of the 3D image data from said 3D image converter and the viewpoint position, presenting the image to the user (col 5, lines 50-65), looking up said first database in accordance with an associated information presentation request associated with the position designated by the user (col 6, lines 58-65), and, if a landmark corresponding to the designated position exists, outputting to said search engine a verbal expression pertaining to a name and contents of the corresponding landmark as a keyword to present a search result obtained by said search engine (col 7, lines 1-15; col 7, line 60-col 8, line 5).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the Admission to include a search database for locating landmarks based on keywords and user location. One of ordinary skill in the art would have been motivated to do

this because it would allow the user to retrieve 3D image data based on the geographic position

of the user (col 4, lines 55-67).

Referring to Claim 7:

Admission in view of Blumberg discloses the limitations as discussed in Claim 1 above.

Blumberg further discloses said 3D image browser comprises: a 3D image creation section for

creating a 3D, stereoscopic image viewed from a viewpoint position designated by the user on

the basis of 3D image data from said 3D image converter and the viewpoint position (col 5, lines

50-65); a database access section for accessing said database in accordance with an associated

information presentation request associated with the viewpoint position designated by the user

(col 6, lines 58-65); and a search control section for, when an access result indicates that a

landmark corresponding a designated position exists, outputting to said search engine a verbal

expression pertaining to a name and contents of the corresponding landmark as a keyword, and

presenting a search result output from said search engine (col 7, lines 1-15; col 7, line 60-col 8,

line 5).

Referring to Claim 8:

Admission discloses an information search/presentation system comprising: 3D image

conversion means for outputting image data on the basis of a plurality of aerial photographs

obtained by photographing a single area from different places, with a physical position of the

area being specified (Admission, page 6, lines 8-20).

Admission does not explicitly disclose "a database for storing a pair of a verbal expression and position information as a unit record the verbal expression pertaining a name and contents of a landmark existing in the area photographed to obtain the aerial photographs; search means for outputting link information for page data including associated contents from a set of page data on public view in response to an input keyword; 3D image creation means for creating a 3D stereoscopic image viewed from a viewpoint position designated by a user on the basis of the 3D image data from said 3D image converter and the viewpoint position; database access means for accessing said database in accordance with an associated information presentation request associates with the position designated by the user; and search control means for, if an access result indicating that a landmark corresponding to the designated position exists, outputting to said search means a verbal expression pertaining to a name and contents of the corresponding landmark as a keyword, and presenting a search result output from said search means."

Blumberg discloses a database for storing a pair of a verbal expression and position information as a unit record the verbal expression pertaining a name and contents of a landmark existing in the area photographed to obtain the aerial photographs (col 5, lines 50-60; col 6, lines 60-65); search means for outputting link information for page data including associated contents from a set of page data on public view in response to an input keyword col 7, lines 40-50; col 8, lines 33-42; col 9, lines 50-65); 3D image creation means for creating a 3D stereoscopic image viewed from a viewpoint position designated by a user on the basis of the 3D image data from said 3D image converter and the viewpoint position (col 5, lines 50-65); database access means for accessing said database in accordance with an associated information presentation request

associates with the position designated by the user (col 6, lines 58-65); and search control means

for, if an access result indicating that a landmark corresponding to the designated position exists,

outputting to said search means a verbal expression pertaining to a name and contents of the

corresponding landmark as a keyword, and presenting a search result output from said search

means (col 7, lines 1-15; col 7, line 60-col 8, line 5).

At the time the invention was made, it would have been obvious to a person of ordinary

skill in the art to modify the Admission to include a search database for locating landmarks based

on keywords and user location. One of ordinary skill in the art would have been motivated to do

this because it would allow the user to retrieve 3D image data based on the geographic position

of the user (col 4, lines 55-67).

5.   Claims 2 and 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Admitted Prior Art (Specification: page 6, lines 10-20) herein referred to as Admission further in

view of US 6496776 issued to Blumberg et al, herein referred to as Blumberg further in view of

US 6577714 issued to Darcie et al, herein referred to as Darcie.

Referring to Claim 2:

Admission in view of Blumberg discloses the limitations as discussed in Claim 1 above.

Admission in view of Blumberg do not explicitly disclose "a second database for

recording an ID of the user and a viewpoint position of the user (); a user position display unit

for adding a user position mark indicating a current position of the user to a viewpoint position

designated by the user on the stereoscopic image presented by said 3D image browser, extracting

a viewpoint position and ID of a distant user from said second database, and presenting the

extracted viewpoint position and ID with a distant user position mark indicating the position of

the distant user being added; and an interaction connection section for, when the user generates a

request for interaction by designating a specific distant user position mark, performing

interaction connection upon regarding an ID of a distant user corresponding to a current position

of the designated distant user position mark"

Darcie discloses a second database for recording an ID of the user and a viewpoint

position of the user (col 8, lines 20-25, 57-65); a user position display unit for adding a user

position mark indicating a current position of the user to a viewpoint position designated by the

user on the stereoscopic image presented by said 3D image browser (col 12, lines 40-50),

extracting a viewpoint position and ID of a distant user from said second database, and

presenting the extracted viewpoint position and ID with a distant user position mark indicating

the position of the distant user being added (col 2, lines 12-20; col 7, lines 30-45); and an

interaction connection section for, when the user generates a request for interaction by

designating a specific distant user position mark, performing interaction connection upon

regarding an ID of a distant user corresponding to a current position of the designated distant

user position mark (col 2, lines 12-20).

At the time the invention was made, it would have been obvious to a person of ordinary

skill in the art to modify the teachings of Admission in view of Blumberg to include a second

database that allows two remote users to interact with each other. One of ordinary skill in the art

would have been motivated to do this because it would provide a map-based directory assistance

interface that will allow users to located people/business using a interactive map (col 1, lines 20-35).

Referring to Claim 4:

Admission in view of Blumberg further in view of Darcie discloses the limitations as discussed in Claim 2 above. Darcie further discloses a system wherein said interaction connection section activates an interaction function program in making connection to a distant user (col 16, lines 25-45).

Referring to Claim 5:

Admission in view of Blumberg further in view of Darcie discloses the limitations as discussed in Claim 4 above. Darcie further discloses a system wherein the interaction function program comprises a program for performing interaction connection by using a selected one of electronic mail, telephone, and electronic chat functions (col 16, lines 25-30; Fig. 10a).

6.   Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (Specification: page 6, lines 10-20) herein referred to as Admission further in view of US 6496776 issued to Blumberg et al, herein referred to as Blumberg further in view of US 6633763 issued to Yoshioka, herein referred to as Yoshioka.

Referring to Claim 3:

Admission in view of Blumberg and Darcie discloses the limitations of Claim 2 above.

Admission in view of Blumberg and Darcie do not explicitly disclose "wherein said

system further comprises a storage section storing the maximum number of distant users, in

advance, which indicates the maximum number of current positions of distant users which are to

be displayed; and said user position display unit extracts viewpoint positions and IDs of distant

users from said second database by a number equal to the maximum number stored in said

storage section in increasing order of distance from the current position of the user, and

presenting the extracted viewpoint positions and IDs, with distant user position marks indicating

the positions of the distant users being added."

Yoshioka discloses wherein said system further comprises a storage section storing the

maximum number of distant users, in advance (col 1, lines 30-36; col 2, lines 8-12; col 6, lines;

col 7, lines 20-30), which indicates the maximum number of current positions of distant users

which are to be displayed (col 7, lines 20-30); and said user position display unit extracts

viewpoint positions and IDs of distant users from said second database by a number equal to the

maximum number stored in said storage section in increasing order of distance from the current

position of the user (col 1, lines 30-36), and presenting the extracted viewpoint positions and

IDs, with distant user position marks indicating the positions of the distant users being added (col

1, lines 30-36).

At the time the invention was made, it would have been obvious to a person of ordinary

skill in the art to modify the teachings of Admission in view of Blumberg and Darcie to add a

maximum number of distant user locations to the display map based on the distance from the

current position of a user. One of ordinary skill in the art would have been motivated to do this

because it would allow the user to contact a distant user that is within a region of interest to the user (col 1, lines 35-45).

7.   Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (Specification: page 6, lines 10-20) herein referred to as Admission further in view of US 6496776 issued to Blumberg et al, herein referred to as Blumberg further in view of US 6442479 issued to Barton, herein referred to as Barton.

Referring to Claim 6:

Admission in view of Blumberg discloses the limitations of Claim 1 above.

Admission in view of Blumberg do not explicitly disclose "a second database for storing user stay information constituted by a pair of a landmark where the user stayed and a stay duration of a user's stay; a log retention section for recording a pair of a viewpoint position of the user and a corresponding time as a movement log; a time storage section storing a minimum stay duration in a landmark area, in advance, which is used to determine whether the user is interested in a specific landmark; a distance storage section storing a distance indicating a range of a landmark area, in advance, which is used to determine whether the user is interested in a specific landmark; a stay duration calculation section for extracting a position of a landmark over which the user passed and a corresponding time from movement logs retained in said log retention section by referring to said second database, and calculating a stay duration in the landmark area from first and last times at which a viewpoint position of the user is located within the range indicated by the distance stored in said distance storage section which corresponds to positions

before and after the position of the extracted landmark; a stay landmark determination section

for, when the stay duration output from said stay duration calculation section is not less than the

time stored in said time storage section, determining that the user has stayed in the landmark, and

adding a unit record constituted by a pair of a landmark name and a stay duration to said second

database; an instruction log retention section for recording a unit record constituted by a pair of a

landmark name for which an associated information presentation instruction is issued by the user

and a designated time as an information presentation instruction log; and a presentation section

for outputting all records in said second database and all records in said log retention section in

accordance with a totalizing result presentation instruction."

Barton discloses a second database for storing user stay information constituted by a pair

of a landmark where the user stayed and a stay duration of a user's stay (col 17, lines 25-30); a

log retention section for recording a pair of a viewpoint position of the user and a corresponding

time as a movement log (col 17, lines 4-8; col 17, lines 60-65); a time storage section storing a

minimum stay duration in a landmark area, in advance, which is used to determine whether the

user is interested in a specific landmark (col 17, lines 35-40); a distance storage section storing a

distance indicating a range of a landmark area, in advance, which is used to determine whether

the user is interested in a specific landmark (col 16, lines 30-40); a stay duration calculation

section for extracting a position of a landmark over which the user passed and a corresponding

time from movement logs retained in said log retention section by referring to said second

database, and calculating a stay duration in the landmark area from first and last times at which a

viewpoint position of the user is located within the range indicated by the distance stored in said

distance storage section which corresponds to positions before and after the position of the

extracted landmark (col 17, lines 50-60); a stay landmark determination section for, when the

stay duration output from said stay duration calculation section is not less than the time stored in

said time storage section, determining that the user has stayed in the landmark (col 17, lines 5-

10), and adding a unit record constituted by a pair of a landmark name and a stay duration to said

second database (col 17, lines 60-68); an instruction log retention section for recording a unit

record constituted by a pair of a landmark name for which an associated information presentation

instruction is issued by the user and a designated time as an information presentation instruction

log (col 16, line 55-col 17, line 5); and a presentation section for outputting all records in said

second database and all records in said log retention section in accordance with a totalizing result

presentation instruction (col 17, lines 60-65).

At the time the invention was made, it would have been obvious to a person of ordinary

skill in the art to modify the teachings of Admission in view of Blumberg to determine whether a

user visited an landmark while recording the movements of the user. One of ordinary skill in the

art would have been motivated to do this because it would allow the system to measure the

effectiveness of its marketing campaign.

Prior Art

8.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

US 6587784 issued to Okude, Mariko et al. Okude discloses a view point-setting part

calculates the position of the view point V to be set behind the current position of the car and up

in the air, based on the current position calculated by the current position-measuring part and

the position correcting part. The data reading part reads out map data M about map elements

such as buildings, which are located around the current position. The representing method-

changing part calculates the distance or level difference between the viewpoint and each of the

map elements, and, for example, changes the representation shapes of ones of the map elements

near the view point, that is, in the region within a predetermined distance from the view point,

to detailed shapes, and the rest ones far from the view point, that is, outside the region within a

predetermined distance from the view point, to simple shapes, respectively. Finally, the display

processing part composes an image of each of the map element according to the displaying

mode of the map element, which is sent from the representation method-changing part, and

displays the image.

US 6408307 issued to Semple, William T. et al. Semple discloses a user can access a

common database from a remote communications port, at any qualified location, to generate a

map or other positional information which locates selected items of interest, e.g., businesses,

stores, architectural sites, and the like. The database contains information representing the

items of interest, including, for each of the items of interest, positional coordinates, a

geographic vicinity, and a selected category. The positional coordinates discretely locate the

vicinity, while the vicinity specifies the exact locations of the items of interest in the selected

category. For example, a user in New York can select the display of sporting shops in the

area surrounding Chicago O'Hare International Airport selectively. A user can also access a

port and display locations of items of interest within the same vicinity as the user and relative to

the user's position. The database can be modified from qualified remote locations to change, or

add to, the information therein. An advertisement can be tagged to the display or print out as an

association with the selected items of interest.

US 5945976 issued to Iwamura, Kazuaki et al. Iwamura discloses his invention relates to

a graphic data processing system, and is more particularly directed to provide an easy-to-

operate system and displaying method thereof, for generating scene data from map data and

retrieving and displaying attributes containing guide information of ground objects in a scene.

In the first place, when a visual point is directed from above to below, a planar map is

displayed, and as the visual point shifts in a horizontal direction, a three-dimensional scene

image is generated and displayed from a map. Secondly, a three-dimensional window is

displayed in a display, and graphic data is displayed inside the window

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Monplaisir G Hamilton whose telephone number is 1703-305-

5116. The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kim Y Vu can be reached on 1703-305-4393. The fax phone number for the

organization where this application or proceeding is assigned is 1703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 1703-305-3900.

Monplaisir Hamilton

KIM VU
SUPERVISORY PATENT EXAMINER
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